

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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EDUARD KORSINSKY,

Plaintiffs,

- against -

EXPERIAN INFORMATION  
SOLUTIONS, INC., et al.,

Defendants.  
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**ORDER**

CV 07-3405 (DLI) (JO)

**JAMES ORENSTEIN, Magistrate Judge:**

At a conference on June 6, 2008, I addressed and resolved the following discovery disputes, all of which were raised in the parties' status report of June 4, 2008, docket entry 38:

1. Plaintiff's Tax Returns. The plaintiff will produce to the defendants requested information about his income, including redacted copies of his tax returns that reflect the amount of his income in the relevant years. To the extent defendant Experian Information Solutions, Inc. seeks additional portions of the tax returns, I deny the request not because I view tax returns as being immune from discovery, but rather because, under all of the circumstances, the likelihood of discovering admissible evidence through such a production does not justify the burden associated with disclosing such sensitive personal financial information.

2. Interrogatory Responses. To the extent that defendant Keybank, N.A. ("Keybank") had any factual basis for its assertion, in its Sixteenth Affirmative Defense, that the plaintiff failed to mitigate damages, it shall provide a response to the plaintiff's interrogatory seeking such information. The fact that Keybank is still awaiting discovery that may be relevant to such a defense does not excuse its obligation to disclose the facts on which it relied when it asserted the defense.

3.     Information About Prior Or Similar Lawsuits. I denied the plaintiff's request for information about litigation between Keybank and others on the ground that it is not reasonably calculated to lead to the discovery of admissible evidence in this case. Keybank's parallel request for information about the plaintiff's litigation history was withdrawn.

4.     All disclosures required by the foregoing rulings shall be made no later than June 13, 2008.

**SO ORDERED.**

Dated: Brooklyn, New York  
June 6, 2008

/s/ James Orenstein  
JAMES ORENSTEIN  
U.S. Magistrate Judge